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Express Mail No.: EV 456 933 463 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Capon *et al.*

Confirmation No.: 9120

Application No.: 09/875,082

Group Art Unit: 1645

Filed: June 5, 2001

Examiner: To be assigned

For: COMPOSITIONS AND METHODS
FOR DETERMINING ANTI-VIRAL
DRUG SUSCEPTIBILITY AND
RESISTANCE AND ANTI-VIRAL
DRUG SCREENING

Attorney Docket No.: 11068-051-999

TRANSMITTAL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants submit herewith a Revocation and Power of Attorney executed by Kathy Hibbs on behalf of ViroLogic, Inc., the Assignee of the entire interest in the above-identified patent.

Applicants request that the Revocation and Power of Attorney be made of record in the file for the above-identified patent.

It is estimated that no fee is due in connection with this transmittal. In the event that a fee is required, please charge the required fee to Jones Day Deposit Account No. 50-3013.

Respectfully submitted,

Date: July 8, 2004

56,056

David C. Pauling

(Reg. No.)

For: Nikolaos C. George (Reg. No. 39,201)

JONES DAY

222 East 41st Street

New York, New York 10017-6702

(212) 326-3939

Enclosure



Express Mail No. __ EV 456 933 463 US

POWER OF ATTORNEY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Capon et al.

Confirmation No.: 9120

Serial No.: 09/875,082

Art Unit 1645

Filed: June 5, 2001

Examiner To be Assigned

For: COMPOSITIONS AND METHODS FOR
DETERMINING ANTI-VIRAL DRUG
SUSCEPTIBILITY AND RESISTANCE
AND ANTI-VIRAL DRUG ACTIVITY

Attorney Docket No.: 11068-051-999

REVOCATION AND POWER OF ATTORNEY OR AUTHORIZATION OF AGENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

ViroLogic, Inc., Assignee, hereby revokes any and all previous powers and appoints:

☒ Practitioners at Customer Number 20583

as its attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please direct all correspondence address for the above-identified application to:

☒ The above mentioned Customer Number.

☒ Firm or Individual Name:

Address: Jones Day, 222 East 41st Street, New York, New York 10017

Telephone: (212) 326-3939

I am the:

☐
☒

Applicant/Inventor

Assignee of record of the entire interest. See 37 CFR 3.71.

(Statement under 37 CFR 3.73(b) is applicable)

SIGNATURE of Applicant or Assignee of Record			
Date:	6/16/04	Signature:	
		Typed Name:	Kathy Hibbs
		Position/Title:	Vice President and General Counsel

Statement Under 37 C.F.R. 3.73(b)

Virologic, Inc., states that it is:

- ☒ the assignee of the entire right, title, and interest; or
☐ an assignee of less than the entire right, title and interest.
The extent (by, percentage) of its ownership interest is %

in the patent application/patent identified above by virtue of either:

- ☒ An assignment from the inventor(s) of the patent application/patent identified above, a copy which is attached hereto.

OR

- ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: To:
The document was recorded in the United States Patent and Trademark Office on at
Reel , Frame , or for which a copy thereof is attached.

2. From: To:
The document was recorded in the United States Patent and Trademark Office on
at Reel , Frame , or for which a copy thereof is attached.

3. From: To:
The document was recorded in the United States Patent and Trademark Office on
at Reel , Frame , or for which a copy thereof is attached.

- ☐ Additional documents in the chain of title are listed on a supplemental sheet.
- ☐ Copies of assignments or other documents in the chain of title are attached.
[Note: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

ASSIGNEE: ViroLogic, Inc.

Date:

6/16/04

Signature:

[Signature]

Typed Name:

Kathy Hibbs

Position/Title:

Vice President and General Counsel

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required.

- ☒ Total of 1 form is submitted.

FORM PTO-1595 (Substitute)
(Rev. 8-96)

05-24-2000

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

To the Honorable Commissioner of Pat.

Original documents or copy thereof
of receiving party(ies):

1. Name of conveying party(ies):

Daniel J. Capon and
Christos J. Petropoulos

101366813

Additional name(s) of conveying party(ies) attached

☐ Yes ☒ NoName: ViroLogic, Inc.

Internal Address: _____

Street Address: 270 East Grand AvenueCity/State/Zip: South San Francisco, CA 94080

3. Nature of Conveyance:

- ☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Other _____

Execution Date(s): March 30, 2000
October 26, 1999Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or patent number(s): If this document is being filed together with a new application, the execution date(s) of the application is(are):

A. Patent Application No.(s) 09/371,774
August 10, 1999

B. Patent No.(s) _____

Additional numbers attached?

☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: John P. White, Esq.

Internal Address: _____

Street Address: Cooper & Dunham LLP1185 Avenue of the AmericasCity/State/Zip: New York, New York 100366. Total number of applications and patents involved: 17. Total fee (37 CFR §3.41): \$ 40.00☐ Enclosed☒ Authorized to be charged to deposit account

8. Deposit account number:

03-3125

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

John P. White

Name of Person Signing

Signature

May 9, 2000

Date

Total Number of pages including cover sheet, attachments and document: 4

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231.

John P. White

Date

Reg. No. 28,678

OMB No. 0651-0011 (exp. 4/94)

Mail documents to be recorded with required cover sheet information to:

Commissioner of Patents and Trademarks

Box Assignments

Washington, D.C. 20231

05/23/2000 DNGUYEN 00000253 033125 09371774

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(40.00 CH)

PATENT
REEL: 010799 FRAME: 0267

Assignment

In consideration of One Dollar (\$1.00). and other good and valuable considerations, the receipt of which is hereby acknowledged, we, the undersigned,

Daniel J. Capon and Christos J. Petropoulos residing at 90 Woodridge Road, Hillsborough, California 94010, U.S.A.; and 415 Garcia Avenue, Half Moon Bay, California, 94019, U.S.A., respectively.

Hereby sell, assign and transfer to **ViroLogic, Inc.**

a corporation of the State of Delaware

having a place of business at 270 East Grand Avenue, S. San Francisco, CA. 94080 *in the County of* San Francisco *and State of* California, U.S.A. *its successors, assigns and legal representatives, the entire right, title and interest for all countries, in and to any and all inventions which are disclosed and claimed, and any and all inventions which are disclosed but not claimed, in the application for United States Patent, which has been executed by the undersigned on* October 26, 1999 *and is entitled* March 30, 2000

Daniel J. Capon and Christos J. Petropoulos, Compositions and Methods for Determining Anti-Viral Drug Susceptibility and Resistance and Anti-Viral Drug Screening, U.S. Serial No. 09/371,774, filed August 10, 1999, continuation-in-part application of U.S. Serial No. 08/903,507, filed July 30, 1997, now abandoned, which was a continuation-in-part application of U.S. Serial No. 08/790,963, filed January 29, 1997, now U.S. Patent No. 5,837,464, issued November 17, 1998, which claimed the benefit of U.S. Provisional Application No. 60/010,715, filed January 29, 1996

and in and to said application and all divisional, continuing, substitute, renewal, reissue, and all other applications for U.S. Letters Patent or other related property rights in any and all foreign countries which have been or shall be filed on any of said inventions disclosed in said application; and in and to all original and reissued patents or related foreign documents which have been or shall be issued on said inventions:

Authorize and request the Commissioner of Patents of the United States to issue to said Assignee, the corporation above named, their successors, assigns and legal representatives, in accordance with this assignment, any and all United States Letters Patent on said inventions or any of them disclosed in said application:

BEST AVAILABLE COPY

PATENT
REEL: 010799 FRAME: 0268

Agree that said Assignee may apply for and receive foreign Letters Patent or rights of any other kind for said inventions, or any of them; and may claim, in applications for said foreign Letters Patent or other rights, the priority of the aforesaid United States patent application under the provisions of the International Convention of 1883 and later modifications thereof, under the Patent Cooperation Treaty, under the European Patent Convention or under any other available international agreement; and that, when requested, without charge to, but at the expense of, said Assignee, its successors, assigns and legal representatives, to carry out in good faith the intent and purpose of this assignment, the undersigned or the undersigned's executors or administrators will, for the United States and all foreign countries, execute all divisional, continuing, substitute, renewal, reissue, and all other patent applications or other documents on any and all said inventions; execute all rightful oaths, assignments, powers of attorney and other papers; communicate to said Assignee, its successors, assigns and representatives, all facts known and documents available to the undersigned relating to said inventions and the history thereof; testify in all legal proceedings; and generally do everything possible which said Assignee, its successors, assigns or representatives shall consider desirable for aiding in securing, maintaining and enforcing proper patent protection for said inventions and for vesting title to said inventions and all applications for patents or related foreign rights and all patents on said inventions, in said Assignee, successors, assigns and legal representatives; and

Covenant with said Assignee, its successors, assigns and legal representatives that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by the undersigned, and that full right to convey the same as herein expressed is possessed by the undersigned.

Date: 3/30/00 19 99

Witness: [Signature]

9 Miriam Sikeritz
90 Woodridge Rd
Hillsborough CA 94010

[Signature] [L.S.]
Daniel J. Capon

Date: _____ 19 99

Witness: _____

Christos J. Petropoulos [L.S.]

PATENT

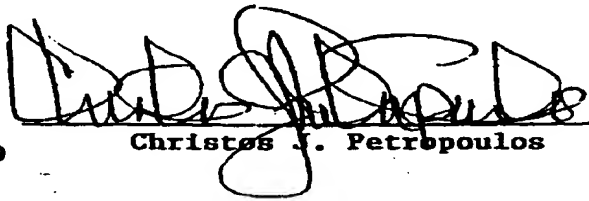
REEL: 010799 FRAME: 0269

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Agree that said Assignee may apply for and receive foreign Letters Patent or rights of any other kind for said inventions, or any of them; and may claim, in applications for said foreign Letters Patent or other rights, the priority of the aforesaid United States patent application under the provisions of the International Convention of 1883 and later modifications thereof, under the Patent Cooperation Treaty, under the European Patent Convention or under any other available international agreement; and that, when requested, without charge to, but at the expense of, said Assignee, its successors, assigns and legal representatives, to carry out in good faith the intent and purpose of this assignment, the undersigned or the undersigned's executors or administrators will, for the United States and all foreign countries, execute all divisional, continuing, substitute, renewal, reissue, and all other patent applications or other documents on any and all said inventions; execute all rightful oaths, assignments, powers of attorney and other papers; communicate to said Assignee, its successors, assigns and representatives, all facts known and documents available to the undersigned relating to said inventions and the history thereof; testify in all legal proceedings; and generally do everything possible which said Assignee, its successors, assigns or representatives shall consider desirable for aiding in securing, maintaining and enforcing proper patent protection for said inventions and for vesting title to said inventions and all applications for patents or related foreign rights and all patents on said inventions, in said Assignee, successors, assigns and legal representatives; and

Covenant with said Assignee, its successors, assigns and legal representatives that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by the undersigned, and that full right to convey the same as herein expressed is possessed by the undersigned.

Date: _____ 19 99 _____ [L.S.]
Witness: _____

Date: 10 / 26 19 99 _____ [L.S.]
Witness: Jennifer Fischer
Jennifer Fischer
2225 23rd Street #304
SF, CA 94107

Christos J. Petropoulos

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RECORDED: 05/12/2000

PATENT
REEL: 010799 FRAME: 0270